

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

QUICK CUISINE AG,

Plaintiff,

Case No.: 08-CV-1601  
(Lynch, J.) (Francis, M.J.)

v.

UB2B INC., CMA TRADING INC., and  
UNIVERSAL FOOD TRADING,

Defendants.

***CERTIFICATION OF  
MICHAEL J. MAROTTE***

Michael J. Marotte, of full age and being sworn upon here oath certifies as follows:

1. I am an Attorney at Law of the State of New York and a member of the law firm of Schenck, Price, Smith & King, LLP and am entrusted with the handling of this matter on behalf of Defendants, and, as such, I am fully familiar with the facts set forth herein.

2. During the week of April 21, 2008, I personally contacted Plaintiff's counsel and requested Plaintiff's consent to vacate the default judgment entered against UB2B, Inc. and Universal Food Trading.

3. Plaintiff's counsel denied this request.

4. Attached hereto as Exhibit 1 is a true and accurate copy of the Complaint filed in this matter.

5. Attached hereto as Exhibit 2 is a true and accurate copy of the Order to Show Cause filed in this matter.

6. Attached hereto as Exhibit 3 is a true and accurate copy of the Affidavit for Judgment by Default filed in this matter.

7. Attached hereto as Exhibit 4 is a true and accurate copy of the unsigned Letter of Intent.

8. Attached hereto as Exhibit 5 is a true and accurate copy of the expert report of Professor Joan Llorens Llacuna in this matter.

I certify that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the statements made by me are willfully false, I am subject to punishment.

By:   
Michael J. Marotte

Dated: August 21, 2008

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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QUICK CUISINE AG,

Plaintiff,

Case No.: 08-CV-1601  
(Lynch, J.) (Francis, M.J.)

v.

**ORDER**

UB2B INC., CMA TRADING INC., and  
UNIVERSAL FOOD TRADING,

Defendants.

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THIS MATTER having been brought before the Court by Schenck, Price, Smith & King, LLP, attorneys for the defendants, UB2B Inc., CMA Trading Inc., and Universal Food Trading (“defendants”), for an Order vacating Default Judgment entered against UB2B, Inc. and Universal Food Trading pursuant to F.R.C.P. 60(b), and to Dismiss Plaintiff’s Complaint as to all defendants for lack of personal jurisdiction pursuant to F.R.C.P. 12(b)(2), and the Court having considered the papers filed in this action, heard oral argument, and for good cause shown;

IT IS on this \_\_\_\_ day of \_\_\_\_\_, 2008

ORDERED that the default judgments entered against the defendants, UB2B, Inc. and Universal Foot Trading, be and the same hereby are vacated; and it is

FURTHER ORDERED that Plaintiff’s Complaint be and the same is hereby dismissed as to all defendants; and it is

FURTHER ORDERED that a copy of the within Order shall be served upon all parties within \_\_\_\_\_ days from the date hereof.

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U.S.D.J.